

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E.D., et al.,

Plaintiffs,

v.

ANNA ROTH, et al.,

Defendants.

Case No. 21-cv-08826-JSW

**ORDER TO PLAINTIFF TO SHOW
CAUSE**

Re: Dkt. No. 25

On March 12, 2022, Plaintiff filed an amended complaint in response to the motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) filed by Defendants on February 18, 2022. Pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), a party is permitted to amend its pleading within twenty-one days after service of a responsive pleading or service of a motion under 12(b). *See* Fed. R. Civ. P. 15(a)(1)(B). Plaintiff's amended complaint was filed outside of the twenty-one-day period. The Court is aware, however, that CM/ECF experienced service disruptions that may have prevented parties from accessing ECF to e-file documents beginning March 11, 2022.

In the case of technical failure of ECF, parties must follow the procedures set forth in Civil Local Rule 5-1(d)(5). Plaintiff's filing of the amended complaint does not contain any explanation whether her failure to comply with the deadline set forth in Federal Rule of Civil Procedure 15(a)(1)(B) was the result of the technical failure of ECF or some other reason.

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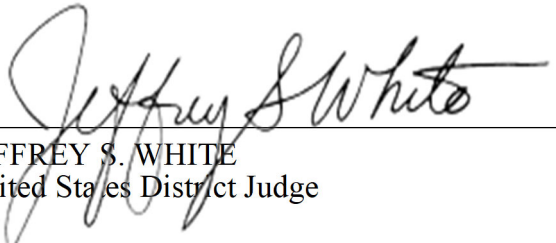
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1 Accordingly, the Court ORDERS Plaintiff to SHOW CAUSE in writing, by March 16,
2 2022, whether the failure to timely the amended complaint was the result of ECF's service
3 disruption or some other reason. If the failure to timely file the amended complaint was the result
4 of technical failure, Plaintiff's response to this OSC may be satisfied by the filing of an affidavit
5 or declaration in accordance with Civil Local Rule 5-1(d)(5).

6 **IT IS SO ORDERED.**

7 Dated: March 14, 2022

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9 JEFFREY S. WHITE
United States District Judge